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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 UNITED STATES OF AMERICA,

4 v.

19 Cr. 240 (VSB)

5 BRANDON MARTIN and
6 TAMEKA LINDO,

7 Defendants.

Plea

8 -----x

9 New York, N.Y.
10 January 10, 2020
11 12:15 p.m.

12 Before:

13 HON. VERNON S. BRODERICK,

14 District Judge

15 APPEARANCES

16 GEOFFREY S. BERMAN

United States Attorney for the
Southern District of New York

17 BY: KEVIN MEADE

KYLE A. WIRSHBA

18 Assistant United States Attorneys

19 MOSES & SINGER LLP

Attorneys for Defendants

20 BY: BARRY S. ZONE

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1 (Case called)

2 MR. MEADE: Kevin Meade and Kyle Wirshba for the
3 government, your Honor.

4 THE COURT: OK.

5 MR. ZONE: For Brandon Martin and Tameka Lindo, Barry
6 Zone. Good afternoon, your Honor.

7 THE COURT: Good afternoon.

8 You may be seated.

9 We're here today for a change-of-plea hearing. What
10 I'm going to attempt to do, to try and save time, since the
11 defendants are both pleading to the same count, is to go
12 through and do the questioning at the same time.

13 MR. ZONE: I've prepared them as such, your Honor.

14 THE COURT: OK.

15 I've been informed, Ms. Lindo, Mr. Martin, that you
16 wish to plead guilty to Count One of information 19 Cr. 240,
17 which charges you with conspiring to commit money laundering,
18 in violation of 18 U.S.C. Section 1956(h). Is that correct?

19 Ms. Lindo.

20 DEFENDANT LINDO: Yes.

21 THE COURT: Mr. Martin.

22 DEFENDANT MARTIN: Yes, your Honor.

23 THE COURT: Now, before I accept your plea, I'm going
24 to ask you certain questions so that I can establish to my
25 satisfaction that you wish to plead guilty because you are, in

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1 fact, guilty and not for some other reason, and also to
2 establish that you know what you will be giving up by pleading
3 guilty. So if either you don't understand something I've said
4 or you don't understand one of my questions, or you wish to
5 consult with Mr. Zone, let me know and I'll stop the
6 proceedings and try and answer your questions or allow you the
7 time to speak to Mr. Zone. OK?

8 THE DEFENDANT: Yes, your Honor.

9 DEFENDANT MARTIN: Yes.

10 THE COURT: Ms. Williams, if I could ask you to swear
11 in Ms. Lindo and Mr. Martin.

12 (Defendants sworn)

13 THE COURT: You are now under oath, which means that
14 if you answer any of my questions falsely, you may be
15 prosecuted for the separate crime of perjury.

16 Do you understand that?

17 DEFENDANT LINDO: Yes, your Honor.

18 DEFENDANT MARTIN: Yes, your Honor.

19 THE COURT: First, Ms. Lindo, what is your full name?

20 DEFENDANT MARTIN:

21 DEFENDANT LINDO: Tameka Danielle Lindo.

22 THE COURT: Mr. Martin.

23 DEFENDANT MARTIN: Brandon Troy Martin.

24 THE COURT: How old are you?

25 DEFENDANT LINDO: 39.

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1 DEFENDANT MARTIN: 43.

2 THE COURT: How far did you go in school?

3 DEFENDANT LINDO: Associate's degree.

4 DEFENDANT MARTIN: GED.

5 THE COURT: Have you ever been treated or hospitalized
6 for any mental illness?

7 DEFENDANT LINDO: Not hospitalized, no.

8 THE COURT: OK. So you were treated by a
9 psychiatrist?

10 DEFENDANT LINDO: I saw one for a few, I guess,
11 appointments.

12 THE COURT: OK. About how long ago was that?

13 DEFENDANT LINDO: Early 20s.

14 THE COURT: In connection with that, are you currently
15 taking any medication?

16 DEFENDANT LINDO: No, I'm not.

17 THE COURT: Mr. Martin, are you now or have you
18 recently been under the care of a doctor or a psychiatrist?

19 DEFENDANT MARTIN: No, your Honor.

20 THE COURT: Ms. Lindo, have you ever been treated or
21 hospitalized for any type of addiction, including drug or
22 alcohol addiction?

23 DEFENDANT LINDO: No.

24 THE COURT: Mr. Martin.

25 DEFENDANT MARTIN: No, your Honor.

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1 THE COURT: Ms. Lindo, have you taken any drug,
2 medicine or pills or drunk any alcoholic beverages in the past
3 24 hours?

4 DEFENDANT LINDO: No, I have not.

5 THE COURT: Mr. Martin.

6 DEFENDANT MARTIN: No, I have not.

7 THE COURT: Ms. Lindo, is your mind clear today?

8 DEFENDANT LINDO: Yes.

9 THE COURT: Mr. Martin, is your mind clear today?

10 DEFENDANT MARTIN: Yes.

11 THE COURT: Ms. Lindo, do you understand what's
12 happening today?

13 DEFENDANT LINDO: Yes, I do.

14 THE COURT: Mr. Martin, do you?

15 DEFENDANT MARTIN: Yes.

16 THE COURT: Mr. Zone, have you discussed this matter
17 with your clients?

18 MR. ZONE: I have.

19 THE COURT: And do they understand the rights that
20 they will be waiving by pleading guilty?

21 MR. ZONE: Completely.

22 THE COURT: Are they capable of understanding the
23 nature of these proceedings?

24 MR. ZONE: They are.

25 THE COURT: Do any of the counsel have any doubt as to

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1 both defendants' competence to plead guilty at this time?

2 MR. MEADE: No, your Honor.

3 MR. ZONE: No, your Honor.

4 THE COURT: On the basis of Ms. Lindo and Mr. Martin's
5 responses to my questions, my observations of them here in
6 court -- in other words, their demeanors -- and the
7 representations of counsel, I find they are fully competent to
8 enter an informed plea of guilty at this time.

9 Ms. Lindo and Mr. Martin, have you each received a
10 copy of the information containing the charge against you?

11 DEFENDANT LINDO: Yes, I have.

12 DEFENDANT MARTIN: Yes.

13 THE COURT: And did you read it?

14 DEFENDANT LINDO: Yes.

15 DEFENDANT MARTIN: Yes, I have.

16 THE COURT: Do you waive its public reading, or do you
17 wish me to read it to you?

18 DEFENDANT LINDO: I waive it.

19 DEFENDANT MARTIN: I'll waive it.

20 THE COURT: Ms. Lindo, have you had enough of a chance
21 to discuss with Mr. Zone the charge to which you intend to
22 plead guilty and any possible defenses to that charge?

23 DEFENDANT LINDO: Yes, I have.

24 THE COURT: And Mr. Martin.

25 DEFENDANT MARTIN: Yes.

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1 THE COURT: And has Mr. Zone explained to you the
2 consequences of entering a plea of guilty?

3 DEFENDANT LINDO: Yes.

4 THE COURT: Mr. Martin.

5 DEFENDANT MARTIN: Yes, he has.

6 THE COURT: Are you satisfied with Mr. Zone's
7 representation?

8 DEFENDANT LINDO: Yes, I am.

9 DEFENDANT MARTIN: Yes, your Honor.

10 THE COURT: Now, I'm going to explain to you certain
11 constitutional rights that you have. These are rights you're
12 going to be giving up by pleading guilty. As I mentioned
13 earlier, listen carefully, and if you have any questions about
14 what I'm saying or you want to speak to Mr. Zone, I will give
15 you the opportunity to do that.

16 Under the Constitution and laws of the United States,
17 you have the right to plead not guilty to the charge contained
18 in the information.

19 Do you understand that?

20 DEFENDANT LINDO: Yes.

21 DEFENDANT MARTIN: Yes.

22 THE COURT: Now, if you were to plead not guilty, you
23 would be entitled to a speedy and public trial, by a jury, on
24 the charge contained in the information.

25 Do you understand that?

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1 DEFENDANT LINDO: Yes.

2 DEFENDANT MARTIN: Yes.

3 THE COURT: At a trial, you would be presumed to be
4 innocent, and the government would be required to prove you
5 guilty, by competent evidence, beyond a reasonable doubt,
6 before you could be found guilty.

7 Do you understand that?

8 DEFENDANT LINDO: Yes.

9 DEFENDANT MARTIN: Yes, your Honor.

10 THE COURT: At a trial, a jury of 12 people would have
11 to agree unanimously that you were, in fact, guilty, and you
12 would not have to prove that you were innocent if you were to
13 go to trial.

14 Do you understand that?

15 DEFENDANT LINDO: Yes.

16 DEFENDANT MARTIN: Yes.

17 THE COURT: At a trial, and at every stage of your
18 case, you're entitled to have an attorney, and if you could not
19 afford an attorney, one would be appointed to represent you,
20 free of charge to you.

21 Do you understand that?

22 DEFENDANT LINDO: Yes.

23 DEFENDANT MARTIN: Yes.

24 THE COURT: Now, during a trial, witnesses for the
25 government would have to come here to court and testify in your

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1 presence. Mr. Zone could cross-examine the witnesses for the
2 government. He could also object to the evidence offered by
3 the government, and he could also offer evidence on your own
4 behalf if you each desired such. You would also have the right
5 to have subpoenas issued or other process to compel witnesses
6 to testify in your defense.

7 Do you understand that?

8 DEFENDANT LINDO: Yes, I do.

9 DEFENDANT MARTIN: Yes.

10 THE COURT: At a trial, although you'd have the right
11 to testify if you chose to do so, you'd also have the right not
12 to testify. And if you decided not to testify, no one,
13 including the jury, could draw any inference of guilt from the
14 fact that you did not testify.

15 Do you understand that?

16 DEFENDANT LINDO: Yes.

17 DEFENDANT MARTIN: Yes.

18 THE COURT: Now, have you had a full opportunity to
19 discuss with Mr. Zone whether there's a basis to seek
20 suppression of some or all of the evidence against you on the
21 grounds that your constitutional rights were violated?

22 DEFENDANT LINDO: Yes.

23 DEFENDANT MARTIN: Yes.

24 THE COURT: And do you understand that, by pleading
25 guilty, you're giving up your right to seek suppression of any

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1 of the evidence against you?

2 DEFENDANT LINDO: Yes.

3 DEFENDANT MARTIN: Yes.

4 THE COURT: All right. Now, if you're convicted at
5 trial, you would have the right to appeal that verdict.

6 Do you understand that?

7 DEFENDANT LINDO: Yes.

8 DEFENDANT MARTIN: Yes, I do.

9 THE COURT: So even now, as you're each entering your
10 guilty pleas, you have the right to change your mind, and to go
11 to trial on the charge contained in the information.

12 Do you understand that?

13 DEFENDANT LINDO: Yes.

14 DEFENDANT MARTIN: Yes.

15 THE COURT: Now, if you plead guilty and I accept your
16 plea, you're going to be giving up your right to trial and the
17 other rights I just discussed, other than your right to a
18 lawyer, which you have regardless of whether or not you plead
19 guilty. But there will be no trial, and I will enter a
20 judgment of guilty and sentence on the basis of your plea after
21 I've considered a presentence report and whatever submissions I
22 get from the government and Mr. Zone. There will be no appeal
23 with respect to whether the government could use the evidence
24 it has against you or with respect to whether you did or did
25 not commit the crime.

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1 Do you understand that?

2 DEFENDANT LINDO: Yes.

3 DEFENDANT MARTIN: Yes.

4 THE COURT: Now, if you plead guilty, you're also both
5 going to have to give up your right not to incriminate yourself
6 because, in a moment, I'm going to ask you to tell me what it
7 is you did that makes you believe you're guilty of the charge
8 contained in the information.

9 Do you understand that?

10 DEFENDANT LINDO: Yes.

11 DEFENDANT MARTIN: Yes.

12 THE COURT: Now, Ms. Lindo, do you understand each and
13 every one of the rights I've just discussed with you?

14 DEFENDANT LINDO: Yes, I do.

15 THE COURT: And Mr. Martin, do you?

16 DEFENDANT MARTIN: Yes, I do.

17 THE COURT: Ms. Lindo, are you willing to give up your
18 right to trial and the other rights I just discussed with you?

19 DEFENDANT LINDO: Yes.

20 THE COURT: Mr. Martin, are you willing to give up
21 your right to trial and the other rights I just discussed?

22 DEFENDANT MARTIN: Yes.

23 THE COURT: Do you each understand that you're being
24 charged with conspiracy to commit money laundering?

25 Ms. Lindo.

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1 DEFENDANT LINDO: Yes.

2 DEFENDANT MARTIN: Yes.

3 THE COURT: AUSA Meade, if you could please recite the
4 elements of the offense in question.

5 MR. MEADE: Yes, your Honor.

6 The defendants were charged with conspiracy to commit
7 money laundering, which has four elements:

8 First, that two or more persons entered into an
9 agreement to commit a money-laundering offense;

10 Second, that the defendant knowingly and willfully
11 became a member of this agreement;

12 Third, that one of the members of the conspiracy
13 committed an overt act; and

14 Fourth, that the overt act was committed to further
15 some object of the conspiracy.

16 The object of the charged conspiracy was to commit
17 money laundering, which has five elements:

18 First, that the defendant conducted or attempted to
19 conduct;

20 Second, a financial transaction;

21 Third, knowing that the property involved in such a
22 financial transaction represents the proceeds of some form of
23 unlawful activity;

24 Fourth, which, in fact, involves the proceeds of
25 specified unlawful activity; and

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1 Fifth, while acting with the intent to promote the
2 carrying on of the specified unlawful activity.

3 The government would also have to prove venue by a
4 preponderance of the evidence.

5 THE COURT: Thank you.

6 Ms. Lindo, Mr. Martin, do you understand that if you
7 were to go to trial, the government would have to prove each of
8 the elements that the prosecutor just mentioned beyond a
9 reasonable doubt, except on the issue of venue?

10 Do you understand that?

11 DEFENDANT LINDO: Yes.

12 DEFENDANT MARTIN: Yes.

13 THE COURT: Now I'm going to tell you what the maximum
14 penalty is that you face for this crime that you intend to
15 plead guilty to.

16 The maximum means the most that could possibly be
17 imposed. That doesn't necessarily mean that that's what you
18 will receive, but you must understand that, by pleading guilty,
19 you're subjecting yourself to the possibility of any punishment
20 up to the maximum I'm about to describe.

21 Do you understand that?

22 DEFENDANT LINDO: Yes.

23 DEFENDANT MARTIN: Yes.

24 THE COURT: First, with regard to restrictions on your
25 liberty, the maximum term of imprisonment for this crime is 20

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1 years' imprisonment, which must be followed -- I'm sorry; let
2 me just verify something -- which may be followed by up to
3 three years of supervised release.

4 Now, supervised release means that you'll be subject
5 to the supervision of the probation department, and there will
6 be rules of supervised release that you'll have to follow. If
7 you violate those rules, you could be returned to prison,
8 without a jury trial, to serve additional time with no credit
9 for time you served in prison as a result of your sentence and
10 no credit for the time you spent on postrelease supervision.

11 Do you understand that?

12 Ms. Lindo.

13 DEFENDANT LINDO: Yes.

14 THE COURT: Mr. Martin.

15 DEFENDANT MARTIN: Yes.

16 THE COURT: You should also understand there is no
17 parole in the federal system so that if you are sentenced to a
18 term of imprisonment, you won't be released early on parole.
19 There is a limited opportunity to earn credit for good
20 behavior, but you have to serve at least 85 percent of the time
21 to which you are sentenced, assuming you're sentenced to more
22 than a year.

23 Do you understand that?

24 DEFENDANT LINDO: Yes.

25 DEFENDANT MARTIN: Yes.

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1 THE COURT: In addition to restrictions on your
2 liberty, there are certain maximum financial penalties you
3 face.

4 The maximum allowable fine is \$500,000, or twice the
5 gross gain derived from the offense or twice the gross loss to
6 persons other than yourself, whichever is greater.

7 In addition, I can order restitution to any person or
8 entity injured as a result -- I think it should be I must order
9 restitution to any person injured as a result of your criminal
10 conduct.

11 In addition, I can also order that you forfeit
12 property derived from the offense or used to facilitate the
13 offense.

14 In connection with that, in both of your plea
15 agreements, it indicates that you are admitting to the
16 forfeiture allegation as it relates to Count One of the
17 information. Is that correct?

18 Ms. Lindo.

19 DEFENDANT LINDO: Yes.

20 DEFENDANT MARTIN: Yes.

21 THE COURT: Similarly, in addition, you've also agreed
22 to forfeit certain specific property, which is listed on pages
23 1 and 2 of each of your plea agreements. Is that correct?

24 DEFENDANT LINDO: Yes.

25 DEFENDANT MARTIN: Yes.

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1 THE COURT: Similarly, I have in front of me, for each
2 of you, a consent preliminary order of forfeiture as to
3 specific property. These documents list those specific
4 properties on pages 1 and 2.

5 Did you, Ms. Lindo, sign this earlier today in the
6 presence of your attorney?

7 DEFENDANT LINDO: Yes, I did.

8 THE COURT: And Mr. Martin, did you sign this earlier
9 today in the presence of Mr. Zone?

10 DEFENDANT MARTIN: Yes.

11 THE COURT: Had you read it before you signed it?

12 DEFENDANT LINDO: Yes.

13 DEFENDANT MARTIN: Yes.

14 THE COURT: And did you understand it before you
15 signed it?

16 DEFENDANT LINDO: Yes.

17 DEFENDANT MARTIN: Yes.

18 THE COURT: OK. I'm going to, at the conclusion of
19 your pleas, assuming that I accept your pleas, sign these
20 documents, and they'll be placed on the docket.

21 Finally, I must order a special assessment of \$100
22 against each of you.

23 Do you understand that these are the maximum
24 penalties?

25 DEFENDANT LINDO: Yes.

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1 DEFENDANT MARTIN: Yes.

2 THE COURT: OK.

3 Now, Ms. Lindo, are you a United States citizen?

4 DEFENDANT LINDO: Yes.

5 THE COURT: Mr. Martin.

6 DEFENDANT MARTIN: Yes.

7 THE COURT: You should each understand that, as a
8 result of your guilty plea, you may lose certain valuable civil
9 rights that you have, to the extent you have them or could
10 otherwise obtain them. Those rights include the right to vote,
11 the right to hold public office, the right to serve on a jury
12 and the right to possess any kind of firearm.

13 Do you understand that?

14 DEFENDANT LINDO: Yes.

15 DEFENDANT MARTIN: Yes.

16 THE COURT: Ms. Lindo, are you currently serving any
17 other sentence, state or federal, or being prosecuted in the
18 state for any crime?

19 DEFENDANT LINDO: No, I'm not.

20 THE COURT: Mr. Martin, are you currently serving any
21 state or federal sentence or being prosecuted by the state for
22 any crime?

23 DEFENDANT MARTIN: No, your Honor.

24 THE COURT: Ms. Lindo, are you on parole?

25 DEFENDANT LINDO: No.

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1 THE COURT: Mr. Martin.

2 DEFENDANT MARTIN: No.

3 THE COURT: Do you understand if anyone -- your
4 attorney or the government's attorney, anyone -- has attempted
5 to predict for you what your sentence will be their prediction
6 could be wrong?

7 Ms. Lindo.

8 DEFENDANT LINDO: Yes.

9 THE COURT: Mr. Martin.

10 DEFENDANT MARTIN: Yes.

11 THE COURT: No one can predict what your sentence is
12 going to be because I'm going to sentence you, and as I said,
13 I'm not going to sentence you today. I'm going to wait until I
14 get a presentence report from the probation office. I'm going
15 to review it, and I'm going determine what the guideline that
16 applies as to each of your cases is. I'm going to consider
17 that guideline range for each of you and whether there are any
18 departures that would be warranted from that guideline range
19 and then, ultimately, determine individually for each of you
20 what an appropriate sentence is for you, considering the
21 factors contained in 18 U.S.C. Section 3553(a).

22 Do you understand that?

23 DEFENDANT LINDO: Yes, your Honor.

24 DEFENDANT MARTIN: Yes.

25 THE COURT: Have you discussed these sentencing issues

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1 with Mr. Zone?

2 Ms. Lindo.

3 DEFENDANT LINDO: Yes.

4 THE COURT: Mr. Martin.

5 DEFENDANT MARTIN: Yes.

6 THE COURT: What that means is even if the sentence is
7 different from what you expect, what your attorney expects or
8 from what's contained in your plea agreement, even if it's
9 different from that, you will still be bound to your guilty
10 plea, and I'm not going to allow you to withdraw your guilty
11 plea.

12 Do you understand that?

13 DEFENDANT LINDO: Yes, your Honor.

14 DEFENDANT MARTIN: Yes, your Honor.

15 THE COURT: I understand there are written plea
16 agreements in this matter. Both are dated March 7.

17 Ms. Williams, do you have the original of the
18 agreements?

19 THE DEPUTY CLERK: Yes.

20 THE COURT: If I could ask you to show Ms. Lindo and
21 Mr. Martin their plea agreements.

22 Ms. Lindo, is that a copy of your plea agreement?

23 DEFENDANT LINDO: Yes, it is.

24 THE COURT: And is that your signature at the end of
25 that?

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1 DEFENDANT LINDO: Yes.

2 THE COURT: Did you sign that earlier today in the
3 presence of your attorney?

4 DEFENDANT LINDO: Yes, I did.

5 THE COURT: Mr. Martin, is that your plea agreement?

6 DEFENDANT MARTIN: Yes.

7 THE COURT: And did you sign that earlier today in the
8 presence of Mr. Zone?

9 DEFENDANT MARTIN: Yes.

10 THE COURT: All right. Had each of you read your plea
11 agreement before you signed it?

12 DEFENDANT LINDO: Yes, I did.

13 DEFENDANT MARTIN: Yes, I did.

14 THE COURT: Did you have an opportunity to go over
15 those plea agreements with Mr. Zone prior to your signing them?

16 DEFENDANT LINDO: Yes.

17 DEFENDANT MARTIN: Yes.

18 THE COURT: Ms. Williams, if I could ask you to return
19 the originals to the government.

20 Did you each fully understand each of your agreements
21 before you signed it?

22 DEFENDANT LINDO: Yes, I did.

23 DEFENDANT MARTIN: Yes.

24 THE COURT: Now, one of the features of each of the
25 agreements is that you've agreed to what the guideline range is

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1 in each of your cases. Is that correct?

2 DEFENDANT LINDO: Yes.

3 DEFENDANT MARTIN: Yes.

4 THE COURT: The agreement itself is binding on you.
5 It's binding on your attorney. It's binding on the
6 government's attorney. But it's not binding on me. As I
7 mentioned earlier, I have my own obligation to determine what
8 guideline range applies to each of your cases. I'm not saying
9 I'm going to come up with a different guideline range, but if I
10 do, and even if that range is higher, I'm not going to allow
11 you to withdraw your guilty pleas.

12 Do you understand that?

13 DEFENDANT LINDO: Yes.

14 DEFENDANT MARTIN: Yes.

15 THE COURT: Now, first, Mr. Martin, in your plea
16 agreement, you've waived your right to appeal or otherwise
17 challenge any sentence within or below eight months to fourteen
18 months; in other words, if I sentence you to any term of
19 imprisonment that's fourteen months or less, you would have no
20 right to appeal or otherwise challenge the sentence.

21 Do you understand that?

22 DEFENDANT LINDO: Yes.

23 THE COURT: Ms. Lindo, you, in your plea agreement,
24 have waived your right to appeal or otherwise challenge any
25 sentence within or below zero to six months. What that means

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1 is if I sentence you to six months or less, you would have no
2 right to appeal or otherwise challenge that sentence.

3 Do you understand that?

4 DEFENDANT LINDO: Yes.

5 THE COURT: All right. Does this written plea
6 agreement constitute your complete and total understanding of
7 your entire agreement with the government?

8 Ms. Lindo.

9 DEFENDANT LINDO: Yes.

10 THE COURT: All right. Mr. Martin.

11 DEFENDANT MARTIN: Yes. Yes.

12 THE COURT: Has anything been left out?

13 Ms. Lindo.

14 DEFENDANT LINDO: No.

15 THE COURT: Mr. Martin.

16 DEFENDANT MARTIN: No.

17 THE COURT: Other than what's written in the plea
18 agreement, has anyone made any promise to you or offered you
19 any inducement to plead guilty or sign the agreement?

20 DEFENDANT LINDO: No.

21 DEFENDANT MARTIN: No.

22 THE COURT: Has anyone threatened you or forced you to
23 plead guilty or sign the plea agreement?

24 DEFENDANT LINDO: No.

25 DEFENDANT MARTIN: No.

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1 THE COURT: Has anyone made any promise to you as to
2 what your sentence will be?

3 DEFENDANT LINDO: No.

4 DEFENDANT MARTIN: No.

5 THE COURT: Now, first, Ms. Lindo, I'd like you to
6 tell me -- we've reached the point in the proceeding when I'm
7 asking you to tell me what it is that you did that makes you
8 believe that you're guilty of the charge contained in the
9 information.

10 MR. ZONE: Your Honor, would it be OK if Mr. Martin
11 read his? They kind of play off each other, and they're both
12 prepared?

13 THE COURT: That's fine.

14 Mr. Martin, you should go ahead.

15 DEFENDANT MARTIN: Between 2014 and 2018, I operated
16 an escort brokering business, online escort brokering business.
17 The way I conducted the business was that escorts would
18 advertise themselves on our website, and we would receive a
19 portion of the fees they received from the services they
20 performed. I hired an internet web service that was based in
21 Manhattan, New York.

22 THE COURT: OK. And from that you said you generated
23 a certain amount of money. Did you retain that money?

24 DEFENDANT MARTIN: Yes.

25 THE COURT: In connection with that, when you were

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1 doing that, did you know that was illegal?

2 DEFENDANT MARTIN: Yes.

3 THE COURT: OK.

4 Let me hear from Ms. Lindo.

5 DEFENDANT LINDO: Between 2014 and 2018, I worked with
6 my husband, Brandon, and assisted in operations of an escort
7 brokering business, as he just described. I assisted with
8 coordination of the women who utilized the website and the
9 customers -- I'm sorry -- and the customers, who would contact
10 us either online or by phone.

11 THE COURT: OK.

12 DEFENDANT LINDO: And I hired an internet web server
13 from Manhattan, New York.

14 THE COURT: And in connection with that, you had
15 communications with that internet web service, is that
16 accurate?

17 DEFENDANT LINDO: Yes.

18 THE COURT: OK.

19 DEFENDANT LINDO: Online.

20 THE COURT: Online.

21 DEFENDANT LINDO: Yeah.

22 THE COURT: Let me ask, with regard to that, just to
23 be clear, Mr. Martin, Ms. Lindo, you agreed with one another to
24 basically undertake this endeavor, is that correct?

25 DEFENDANT LINDO: Yes.

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1 DEFENDANT MARTIN: Yes.

2 THE COURT: Ms. Lindo, when you were doing this, did
3 you know it was illegal?

4 THE DEFENDANT: Yes.

5 THE COURT: OK.

6 Mr. Zone, do you know of a valid defense that would
7 prevail at trial, or do you know of any reason why your clients
8 should not be permitted to plead guilty?

9 MR. ZONE: I don't, your Honor.

10 THE COURT: All right.

11 Mr. Meade, are there any additional questions I should
12 ask of either of the defendants?

13 MR. MEADE: Yes, your Honor, just to ask both
14 defendants, please, whether they knew the money they were
15 obtaining was from illegal prostitution.

16 THE COURT: OK.

17 When you were receiving the funds that were coming in,
18 they came from the women who were involved in prostitution, is
19 that correct?

20 Mr. Martin.

21 DEFENDANT MARTIN: Correct, yes.

22 DEFENDANT LINDO: Yes.

23 THE COURT: And you knew that prostitution was
24 illegal?

25 DEFENDANT MARTIN: Yes.

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1 DEFENDANT LINDO: Yes.

2 THE COURT: So that those funds were from illegal
3 activity, is that correct?

4 DEFENDANT MARTIN: Yes.

5 DEFENDANT LINDO: Yes.

6 THE COURT: I would ask, Mr. Meade, if you could
7 summarize what the government's evidence would have been had
8 the defendants gone to trial.

9 MR. MEADE: Yes, your Honor.

10 At trial, the government's evidence would have
11 included bank and credit card records; emails evidencing the
12 scheme; website screen chats; IP records; corporate records and
13 the witness testimony of coconspirators.

14 THE COURT: Ms. Lindo, Mr. Martin, do you understand
15 that by pleading guilty, you're giving up your right to
16 challenge the evidence that the prosecutor just mentioned?

17 Ms. Lindo.

18 DEFENDANT LINDO: Yes.

19 THE COURT: Mr. Martin.

20 DEFENDANT MARTIN: Yes.

21 THE COURT: Do all counsel agree that there is a
22 sufficient factual predicate for a guilty plea?

23 MR. MEADE: Yes, your Honor.

24 MR. ZONE: Yes, your Honor.

25 THE COURT: Do any counsel know of any reason I should

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1 not accept Ms. Lindo's and Mr. Martin's plea of guilty?

2 MR. MEADE: No, your Honor.

3 MR. ZONE: Not on behalf of Mr. Martin and Ms. Lindo.

4 THE COURT: OK.

5 Ms. Lindo, Mr. Martin, because you each have
6 acknowledged that you are, in fact, guilty of the charge
7 contained in the information; because I'm satisfied that each
8 of knows the rights that you have, including the right to go to
9 trial, and that each of you is aware of the consequences of
10 your plea, including the sentence each of you might receive and
11 that might be imposed; and because I find that you're each,
12 individually, knowingly and voluntarily pleading guilty, I'm
13 going to accept each of your pleas and enter a judgment of
14 guilty for each of you on Count One of the information.

15 Now, as I mentioned, the probation department is going
16 to prepare a presentence report for each of you, independently,
17 and in connection with that, they're going to want to interview
18 you. I ask that each of you, when you meet with them, to the
19 extent you're going to respond to their questions --

20 Well, first, Mr. Zone, are you going to be there in
21 connection with that?

22 MR. ZONE: I will.

23 THE COURT: All right.

24 The interview won't occur unless Mr. Zone is with you.

25 Now, in responding to questions, should you choose to

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1 respond to questions by the probation department, the thing I
2 ask that you do is you be entirely truthful, because I'm going
3 to rely on that report as one factor in determining what an
4 appropriate sentence is for each of you, so it's important that
5 everything in the report be accurate.

6 In addition, prior to my getting the report, you'll
7 have an opportunity to review the report with Mr. Zone. If
8 there are any errors in there or there are things that you
9 believe should be added to the report, I ask that you tell
10 Mr. Zone so that he can, first, raise the issue with the
11 probation officer and determine whether or not those issues can
12 be addressed, and then, if they're not adequately addressed, so
13 that Mr. Zone can raise those issues with me. OK?

14 DEFENDANT LINDO: Yes, your Honor.

15 DEFENDANT MARTIN: Yes.

16 THE COURT: Ms. Williams, sentencing date.

17 THE DEPUTY CLERK: Should we have the defendants
18 together?

19 THE COURT: I don't have an objection to sentencing
20 Ms. Lindo -- well, let me ask.

21 Let's go off the record.

22 (Discussion off the record)

23 THE COURT: Ms. Williams, if we could have a
24 sentencing date.

25 THE DEPUTY CLERK: May 22 at 2:30.

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1 THE COURT: May 22 at 2:30.

2 I'd ask that the government provide the probation
3 office with the factual statement within two weeks.

4 Similarly, Mr. Zone, if you could just call the
5 probation department and set a time to have the interviews at
6 some point within the next two weeks, that would be great.

7 MR. ZONE: I was wondering if they could make
8 arrangements to do the interview with Ms. Lindo over the phone
9 because she's not going to be able to fly after.

10 THE COURT: What I would say is the following -- the
11 answer I have is I don't know -- speak with the probation
12 officer and see what they're willing to do. I'm unaware of any
13 statutory prohibition to that, but I'm unaware, as a matter of
14 process, whether the probation office would have an issue with
15 that. They may, so they may need to do it via Skype or some
16 other thing so they can verify who is actually speaking.

17 MR. ZONE: Sure. Whatever they require, we'll abide
18 by.

19 THE COURT: OK. If there are any difficulties, just
20 let me know. I'm not sure I'll be able to resolve them, but
21 let me know.

22 MR. ZONE: Thank you, your Honor.

23 THE COURT: OK.

24 In connection with sentencing, I do expect to get the
25 defense submission two weeks prior to sentencing and the

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1 government submission one week prior to sentencing.

2 Is there anything else that we need to deal with
3 today?

4 From the government.

5 MR. MEADE: No, your Honor.

6 THE COURT: From the defense.

7 MR. ZONE: No, your Honor.

8 THE COURT: OK. Thank you very much for coming in.
9 I'll see everybody on May 22. Thank you.

10 MR. ZONE: Thank you, your Honor.

11 THE COURT: We'll stand adjourned.

12 Just so the record is clear, I'm signing each of the
13 consent preliminary orders of forfeiture as to specific
14 property now, and those will be entered on the docket.

15 Thank you.

16 (Adjourned)